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Security Council

Seventy-first year

Provisional

7637th meeting
Monday, 29 February 2016, 3.30 p.m.
New York

President:	Mr. Ramírez Carreño	(Venezuela (Bolivarian Republic of))
Members:	Angola	Mr. Lucas
	China	Mr. Zhao Yong
	Egypt	Mr. Mahmoud
	France	Mr. Lamek
	Japan	Mr. Okamura
	Malaysia	Mrs. Adnin
	New Zealand	Mrs. Schwalger
	Russian Federation	Mr. Churkin
	Senegal	Mr. Ciss
	Spain	Mr. Gasso Matoses
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Hickey
	United States of America	Mr. Klein
	Uruguay	Mr. Bermúdez

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

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The meeting was called to order at 3.30 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2016/99)

The President (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Serbia to participate in this meeting.

On behalf of the Council, I welcome His Excellency Mr. Ivica Dačić, First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Zahir Tanin, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, to participate in this meeting.

On behalf of the Council, I welcome Mr. Tanin, who is joining the meeting via video-teleconference from Pristina.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Vlora Çitaku to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I should like to draw the attention of the members of the Council to document S/2016/99, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I now give the floor to Mr. Tanin.

Mr. Tanin: Today is the Security Council's first meeting on Kosovo in 2016. It is taking place at a moment of significant developments, not least of which is the fractious, but successful, election of a new President on Friday. This is a year in which Kosovo will face countless complex challenges. Accordingly, today I will take time to assess key developments emerging from 2015 and, most important, to look ahead.

In recent months, the polarization of the Kosovo political landscape has reached levels where progress is being impeded despite considerable Government efforts to pursue an ambitious reform agenda. The extreme political antagonism has clearly transgressed basic democratic norms. The most obvious examples of this has been the repeated use of violence by the opposition to prevent the Kosovo Assembly, as well as other Government institutions, from conducting their work.

I have joined many of my colleagues in the international community to stress that adherence to the basic democratic rules of the game is more than simply a responsibility of all political leaders. It is also what empowers the voices and messages of all genuine political actors in the democratic process, including those of the opposition, which otherwise could be squandered and lost.

With matters having reached this point, I believe this is an opportune time for everyone to stand back and evaluate, and perhaps also to shift local and international focus away from political battles towards more fundamental issues. The intrinsic links among post-conflict development and the enforcement of the rule of law and human rights should be at the centre of a proactive and results-oriented agenda for Kosovo. Political leaders should be more outward-looking in exploring opportunities for regional cooperation — as exemplified by the Western Balkans Investment Summit in London one week ago — rather than focusing on limited political interests. With so much already invested in building stability in Kosovo and the region, continued attention to core issues and more focused deployment of resources can help make the difference between setting a course for progress or decline.

Throughout all this, it is important to acknowledge that many essential commitments made by Kosovo's political leadership have remained firm. Those include continuing to normalize relations with Belgrade through the European Union-facilitated dialogue, meeting the fiscal and financial obligations set forth by international creditors and ensuring the conditions necessary for full establishment of the special court. The additional and emerging challenges underscore the importance of working with all leaders in Pristina to ensure that those essential commitments do not waver.

Several fundamental steps were taken last year towards strengthening Kosovo's European perspective.

At the same time, they were accompanied by detailed and at times critical assessments by European bodies of the condition and efficiency of public institutions, especially the Kosovo judiciary. I refer in particular to the European Commission's Kosovo 2015 report and to the recent report of the Council of Europe on the situation in Kosovo, among others.

Building respect for the rule of law and ensuring adequate enforcement are great challenges in many parts of the world. In Kosovo those crucial goals are not always as high on the agenda as they should be. A strong legislative framework is already in place, including several key laws enacted just in the past year. However, its application is inconsistent, the administration of justice is unacceptably slow and instances of political interference are common. Corruption at many levels increases the public's frustration, impairs the daily life of everyone in Kosovo by reducing economic development and opportunity and undermines faith in the political system. Steadily improving the coordination of support for the rule of law should, I believe, remain a central objective this year, and it is one in which the United Nations remains ready to play a part, within the available resources and our mandate.

At times, the security and political issues take too much attention away from Kosovo's serious economic development challenges. As the Government has acknowledged, intensive efforts are needed to create more economic growth and opportunity, which in turn would ease political tensions. Despite extensive natural and human resources, few opportunities are opening up for major investment. Unemployment is high. Education needs to be modernized and depoliticized. And harmful environmental practices that significantly affect public health should be systematically addressed. As the Secretary-General has so often stressed, the close nexus between peacebuilding and development requires coherence and complementarity with all the United Nations agencies, funds and programmes in Kosovo, as well as with the broader range of multilateral and bilateral development initiatives. That will be another central focus of our efforts this year.

Kosovo's legal framework guarantees the protection of human and fundamental rights, but implementation is uneven and directly influenced by political and inter-community tensions. Although Kosovo cannot directly associate itself with international and European human-rights instruments and institutions without facilitation by the United Nations, that has never prevented it from enacting robust human-rights legislation. I welcome the Government's willingness to engage with the United Nations Interim Administration Mission in Kosovo (UNMIK) on human-rights reporting to the special procedures of the Human Rights Council. I also welcome the positive working relationship we have established with the Government on policy development, including on the Kosovo human rights strategy. We and many international partners remain committed to working closely with the authorities to encourage positive trends, particularly in the full implementation of the established legislative framework. The recent agreement signed on new premises for the Kosovo Ombudsperson, in line with the Paris Principles, and the appointment of a new Chair for the Pristina delegation of the Joint Working Group on missing persons, are welcome developments.

Laws and programmes designed to uphold the rights of minority groups and to protect cultural heritage, along with the realization of property rights and women's still-limited access to property ownership, remain matters of real concern. The returns programme for displaced persons has faltered, partly due to the significant shortcomings in those areas. Without ensuring the necessary conditions for people's reintegration into social, economic and political life, even limited returns are unlikely to become more sustainable.

Cooperation between the Serbian Orthodox Church and the Kosovo authorities suffered several setbacks last year. Unresolved issues related to church property and the enforcement of legal protection have strained relations. We continue to receive reports of incidents, including thefts, in households owned by Kosovo Serbs, which are causing concern. We are joining with the European Union and other partners to improve facilitated dialogue at all levels, from the central authorities to civil society.

In the next few months, Kosovo and the entire region are likely to face substantial external shocks that will test the resilience of their institutions. The vast refugee and migrant flows through the Balkans are unlikely to abate, and they constitute both a human tragedy and a political crisis. Kosovo's planning for contingencies should benefit from international resources and planning support, as well as regional cooperation. It is important to emphasize that any measures taken should not restrict the universal rights of refugees and asylum-seekers, and that our understanding of their

plight as individuals should remain at the forefront of all policy considerations.

Assuring adequate institutional capacity and responses to the problems of radicalization and extremism, terrorist training and financing, and the associated trafficking in human beings and weapons is likewise becoming more pressing. The presence of groups driving radicalization and the phenomenon of foreign terrorist fighters are challenges that demand a close and efficient partnership between the Kosovo authorities and regional and international bodies. Kosovo's strategy and action plan on the prevention of violent extremism should benefit from wide-ranging international support commensurate with the extensive bilateral assistance already being directed to intelligence and law-enforcement bodies.

While politicians usually focus on near-term and insular priorities, regional partnerships mark the real path to progress. The Pristina-Belgrade dialogue is essential, while its ultimate success must be grounded in collaboration among all leaders across the region. Where the international community is concerned, safeguarding the considerable investment already made in Kosovo requires a proactive attitude both to the current challenges and to additional emerging ones. Political progress and institutional resilience in the region are both essential. However, they are by no means assured. Accordingly, our work in UNMIK is aimed at, and must be part of, an international, as well as a local, partnership to address problems that realistically cannot be tackled in isolation. By working with all those who recognize and embrace the aims of peace, security and prosperity, we can actively support Kosovo and the entire region in meeting the formidable challenges ahead.

I wish to conclude my remarks by expressing my deep appreciation to the members of the Council for their suppor, which is indispensable to success.

The President (*spoke in Spanish*): I thank Mr. Tanin for his briefing.

I now give the floor to Mr. Dačić.

Mr. Dačić (Serbia) (*spoke in Serbian; English text provided by the delegation*): I would like to thank thank the Security Council for the attention is accords the question of Kosovo and Metohija via a regular exchange of views on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Security Council meeting convened every three months. The message that we send from here to all sides involved is exceptionally important. The force of that message is understood by all political actors and, even more important, by all communities in Kosovo and Metohija.

Notwithstanding the many challenges, UNMIK's role in the process of coordinating the activities of all segments of the international presence, as well as in stabilizing the situation in the province, is irreplaceable. UNMIK's engagement is of paramount importance for the Republic of Serbia; the Serbian population trusts UNMIK the most, whereas, for its part, UNMIK is the guarantor of the status neutrality of the international presence in the province as provided for by resolution 1244 (1999). Very important also is the contribution of other international organizations whose missions, such as the European Union Rule of Law Mission, the Kosovo Force and the Mission of the Organization for Security and Cooperation in Europe (OSCE), carried out under the auspices of the United Nations, are constituent parts of the international civil and security presences in Kosovo and Metohija.

Serbia commends UNMIK's consistency and commitment to the realization of the priorities mandated by its mission. In view of its task of promoting security, stability and respect for human rights, I would like to emphasize that UNMIK's engagement, in its present scope and with undiminished budget capacities, is essential for the creation of conditions conducive to reaching a durable and sustainable solution for the question of Kosovo and Metohija. At the same time, it sends a message to Kosovo and Metohija Serbs and other non-Albanians who see in UNMIK a guarantor of their survival that they are not forgotten. In that sense, it is also important that we maintain the present Security Council reporting dynamic on the work of UNMIK. I expect UNMIK to continue to carry out its mandate in a status-neutral way in accordance with resolution 1244 (1999), especially in areas relevant to the survival and normal and dignified life of the Serbs and the members of other non-Albanian communities in Kosovo and Metohija.

Turning to the report (S/2016/99) before us, I would like to reiterate that, in order to present a broader picture of the situation in which the Serbian and other non-Albanian populations live in the province today, the periodic reports must reflect the life of the communities south of the Ibar River as well. Disregard for human

rights and the problems encountered by minority communities all over Kosovo and Metohija make their feelings of isolation, neglect and hopelessness ever more intense. I therefore propose that the next report include a thorough review of the situation of the members of the communities south of the Ibar River.

As I have done on previous occasions, I would like to point to the importance that Serbia attaches to the quest for solutions for internally displaced persons from Kosovo and Metohija. The strategy of my country in that regard is to fully support the persons displaced from Kosovo and Metohija, whether they opt for a sustainable return or for integration in the place of displacement. Yet whatever support that Serbia may provide to potential returnees will be insufficient, short of adequate engagement by the Provisional Institutions of Self-Government in Pristina and their acceptance, or at least toleration, by local communities, coupled with the active participation of the international community.

The answer to the question of why an ever-smaller number of people opt to return home to Kosovo and Metohija is complex: they become frustrated by administrative, security, institutional and legal barriers and decide to integrate locally not as an act of a conscious, personal choice, but rather as a consequence of a lack of genuine possibilities to return. The OSCE Mission in Kosovo report of last November is very indicative in that regard: out of 479 incidents in Kosovo and Metohija, 310 were directed at Kosovo and Metohija Serbs, 22 per cent of them returnees. According to data from the Office of the United Nations High Commissioner of Refugees, only 12,145 displaced Serbs and other non-Albanians returned, while just 4,000 of them realized sustainable returns. The quarterly reports of the Secretary-General are also indicative of the worrisome trend of declining returns, wherefore much more attention should be devoted to this problem, as well as to measures to overcome it. The worrisome statistical data should provide motivation and lead to intensive work to remove the obstacles that prevent and make it more difficult for the internally displaced persons to achieve sustainable returns in larger numbers in which, under resolution 1244 (1999), UNMIK also should play an exceptionally important role. Promises alone are not enough; effective measures and concrete results are needed.

I have already lost count of how many times I have drawn the attention of the members of the Council, which represents the most important body of the international community, that, year after year, we keep repeating the data that over 220,000 Serbs were expelled from their ancestral homes in Kosovo and Metohija and that only 1.9 per cent of them realized sustainable return. Does that mean that the international community has given up on the return of 220,000 Serbs? Will it legitimize the ethnic cleansing of Serbs from Kosovo and Metohija? How many more years must go by before the Serbs are able to return? Sixteen or seventeen years have already passed. Or is no one planning on their return at all? Or are they fair game indeed?

Piecemeal data on attacks on the life and property of Serbs and other non-Albanians create a somewhat fuzzy picture of a civilizationally unacceptable phenomenon: the persecution of people only because they do not belong to a majority community. Unfortunately, there are many examples. Last October, a group of Albanian youths beat four Serbian boys younger than 15 years old in the village of Donje Kusce near Gnjilane. Two of them sustained serious injuries: one was stabbed with a knife, the other was hit with a metal bar. At the beginning of December, a number of Serbian houses were shot at in repeated gun bursts, a car was set on fire and the memorial to the victims of the NATO bombing and the monument to children killed at the Bistrica River in 2003, whose killers were never found, were vandalized at Gorazdevac, municipality of Klina.

The presentation of the response of institutions, including police investigation, prosecution and the sentencing of perpetrators, would be welcome indeed. The Council will agree that the statistics on the processing of crimes and the providing of compensation for criminal offences, including murders committed against Serbs, would make for illuminating reading. Let me remind the Council that the number of killers of over 1,000 Serbs since 1999, tried and given legally valid sentences to date continues to be zero. These things, however, are the litmus test for the achievements of a society in the area of democracy and the rule of law. One question is very pertinent in this regard, namely, whether the murder of Serbs is a criminal offence or whether that, too, can go unpunished? How, then, can the Serbs believe in the rule of law if up until now no one has been prosecuted and sentenced for those murders?

In the light of what I have said here, I call again on the United Nations and representatives of the Interim Administration Mission in Kosovo and Metohija to help overcome the problems that make the return of internally displaced persons to their homes more

difficult. We should keep in mind that, beyond the lack of security, the absence of effective mechanisms for the restitution of usurped property is one of the most important factors that prevents or limits returns. The April 2015 report of the Secretary-General states that

> "[u]nresolved property rights remained a key impeding factor to progress in voluntary returns and intercommunity relations in Kosovo." (*S/2015/303, para. 34*)

To that end, we would draw attention to the institutional measures taken by Pristina, such as the draft law on the Kosovo agency for property comparison and verification, which contravenes the 2011 technical agreement on customs stamps and cadastre. The draft law's adoption would make it possible to legalize the unlawful seizure property and would cause irreparable damage to the Serbian community in Kosovo and Metohija. The realization and protection of property rights are one of democratic society's most important achievements and represent the vital interests of a community, as also stated in the October 2014 report of the Organization for Security and Cooperation in Europe entitled *An Assessment of the Voluntary Returns Process in Kosovo.* It is therefore of paramount importance to draft a new law using a process in which representatives of displaced persons and the Serbian Orthodox Church would also participate.

The fragility of the situation in Kosovo and Metohija in various sectors is noted also in the European Commission 2015 report on Kosovo. The report notes, inter alia, that Kosovo's judicial system is in its early stages of development and is still prone to political interference. The attitude of the Pristina authorities and judiciary towards Mr. Oliver Ivanović — the leader of the Serbian Civic Initiative "Serbia, Democracy and Justice", about which I have spoken in the Security Council on a number of occasions — led to a verdict that can be characterized only as political, proving the existence of political interference in a convincing manner. The verdict, without foundation in justice or in law, is a far cry from contributing to the stabilization process in the province and to the building of trust in the institutions and the rule of law in Kosovo and Metohija.

The absence of the rule of law, the existence of divergent interests between the Government and opposition political structures, as well as the lack of genuine will to fulfil the conditions put before the Government in Kosovo and Metohija by the international community, will be a destabilizing factor for some time to come. A negative climate for Serbs is being created because of alleged concessions made by the Pristina side during the Brussels dialogue. There is therefore a danger that violence could spill over from Pristina into Serbian enclaves in the other parts of Kosovo and Metohija.

Kosovo and Metohija's level of religious extremism is the highest in the region. Radical Islamist structures, supported by a large number of Islamic clerics — Imams — from the official Islamic community of Kosovo and Metohija, as well as international and local Islamist organizations, is proof of a serious threat of terrorism, particularly given their associations and links with foreign terrorist fighters in Syria and Iraq who have left the region at the highest rates of any Muslim population in the Balkans.

Political radicalization and the worsening of the security situation due to the escalation of political and religious extremism threaten all residents of Kosovo and Metohija, and returnees in ethnically mixed communities are generally the most threatened. That calls for additional measures to improve the security of Serbs and members of non-majority communities who are, as stated in the report I mentioned, regular targets and victims of ethnically motivated attacks.

The presence of terrorist elements and the activities of radicalized extremists, including returnees from conflict-ridden areas in the Middle East, give rise to particular concern. The report itself speaks of arrests and indictments of a number of Kosovo and Metohija Albanians suspected of being connected with terrorist organizations, while in the reporting period graffiti making explicit reference to the Islamic State in Iraq and the Levant has defaced Serbian houses, the walls of Serbian Orthodox churches and road signs. Four armed Islamists were arrested in January at the portal of the Visoki Dečani Monastery, a jewel of Serbian, European and world spiritual and cultural heritage, which is on UNESCO's List of World Heritage in Danger.

The Republic of Serbia is fully committed to the dialogue being conducted between Belgrade and Pristina and facilitated by the European Union and to the implementation of agreements reached. In the circumstances in which the Serbian people of Kosovo and Metohija live, they see in the covenants entered into by the European Union under the Brussels agreement the guarantee of their survival and development. The

community of Serb majority municipalities in Kosovo is intended to articulate the interests of the Serbian population and provide an institutional mechanism for collectively realizing and protecting their basic rights and contribute to a continued and more rapid normalization of relations.

In all reports of the Secretary-General, it has been asserted that a speedy establishment of the community of Serb majority municipalities is crucial for the implementation of the Brussels agreement. Yet so far the community has not been established. Instead of positive steps in that direction, a new element has been introduced contrary to the Brussels agreement, namely, the inclusion of the so-called Supreme Court of Kosovo in the process of review and de facto revision of the agreement. If the Supreme Court of Kosovo is tacitly accepted to be an institution empowered to alter a political agreement facilitated by the European Union reached at the highest level, the purpose of dialogue and the guarantee that every agreement will be implemented in the form in which it has been reached are thrown very much into question. It sends a negative message to the Serbian community, as well as to the European Union as a facilitator and to the United Nations.

I would reiterate that my country's commitment to contributing to the stabilization of the situation in the region and to the agreement I signed with Mr. Hashim Thaçi, which clearly defines the obligations of both sides, the main reason for the signing of the Brussels agreement was, in the absence of substantive progress in the realization of basic human rights for Serbs and members of other non-Albanian communities in Kosovo and Metohija, to establish a separate mechanism that will make it possible for those communities to lead a normal life. In that sense, the idea of establishing the community of Serb majority municipalities draws intrinsically on the spirit of resolution 1244 (1999) as a mechanism, the primary function of which is to protect human rights, ensure the safe and sustainable return of all refugees and displaced persons and permit them to live a normal twenty-first century life.

In conclusion, I would like to point out once again that the Republic of Serbia's national priority is to achieve a political solution for the question of Kosovo and Metohija. In order to reach such a solution, it is also necessary to achieve reconciliation. Serbia is therefore strongly committed to dialogue with the representatives of Pristina, facilitated by the European Union, within which very important agreements have been reached. My country's commitment to the process reflects its firm determination to make an active contribution to stability in the Western Balkans and the settlement of all outstanding issues by political and diplomatic means. It is exactly with that goal in mind, and despite the many challenges, that we have been constructive in the dialogue and ready to compromise, which has not often been easy. Our approach has made it possible for mutually acceptable solutions to be reached on many complex issues, from legislation to energy and telecommunications, in the interest, above all, of reconciliation and a shared future.

We expect the European Union to continue to facilitate our dialogue with Prístina. For its part, the Government of the Republic of Serbia will undoubtedly continue to be actively engaged in implementing the Brussels agreement in the interest of the peace, stability and economic prosperity of the region.

The President (*spoke in Spanish*): I now give the floor to Ms. Çitaku.

Ms. Çitaku: It is an honour for me to present some of the latest developments in the Republic of Kosovo.

On 17 February, Kosovo marked its eighth anniversary as a free, independent and sovereign State. The journey that the people of Kosovo have gone through to obtain freedom was long and painful, and the price we had to pay in order to exist as a free nation under the sun was very steep.

When we were living through the terror of war, accompanied by violence and ethnic cleansing deployed by Serbia, only in 1998 did Kosovo start to make headlines in the world. Not many people still remember that we had lived through repression decades before, harshly discriminated against and with our fundamental rights violated; without schools in our language; and with our parents thrown out of their rightful jobs, just because of our being Albanian.

This happened only a few decades, ago in the heart of Europe, in silence. I am not going to even mention the 1960s and 1970s, when violations of human rights in Kosovo were not known and people were afraid to speak of them, even among ourselves.

I am remembering this because sometimes we have to step back and see where we have come from in order to see the whole picture and understand what is happening now, at a time when we all are confronted with new challenges, when no one is afraid of losing friends or

loved ones, when we all condemn atrocities together, in alliance, and we want to see the perpetrators punished.

In Kosovo, we are still waiting for justice to be served. Although we in Kosovo were the victims, and although our just cause has been addressed by international justice, be it at the International Tribunal in The Hague or in the various international missions that operated in Kosovo, including the United Nations Interim Administration Mission in Kosovo, Kosovo institutions have established a Special Court, which will try the crimes allegedly committed in 1999.

The sitting President of Kosovo, Ms. Atifete Jahjaga, ratified the agreement signed by the Government of Kosovo and the Netherlands. With this, Kosovo has concluded all of its international obligations towards the establishment of the Special Court. We will always cooperate with international justice, as we have done in the past, because we have nothing to hide. War was not our choice.

We all know who generated the violence and atrocities in the former Yugoslavia. History cannot be rewritten, and roles cannot be shifted. Precisely because we are fully conscious of our past, our record of cooperation with international justice has always been impeccable. Every single Kosovar Albanian who has been indicted for war crimes in Kosovo since 1999, be it by international or local justice, has always surrendered voluntarily to the Tribunal. Unlike our northern neighbour, which provided shelter for those who were indicted and later used their arrest for leverage and benefits, we in Kosovo believe that cooperation with international justice is not a subject for negotiation but rather a duty — a duty and obligation not only to our past but, first and foremost, to our children and to future generations. We need to clear the fog and remove any suspicion so that they can live in their Republic, not in the midst of doubts but proud of their past.

Unfortunately, in Serbia many serious human rights violations have not been investigated and have gone unpunished. Somehow indictments for war crimes seem not to be taken seriously. Furthermore, in Serbia, when one former paramilitary official was arrested for war crimes and given a minimum sentence, there was a massive and institutional condemnation of the justice institutions. General Vladimir Lazarević, on the other hand, was sentenced by the International Tribunal for the Former Yugoslavia (ICTY) for war crimes committed in Kosovo. Upon his return to Serbia last December, after serving two thirds of his 14-year sentence, he received a hero's welcome. The Minister of Justice and Minister of Defence of Serbia and a long row of State officials lined up to welcome the infamous General, who was responsible for the loss of thousands of lives. This is what I call impunity.

This is not only my opinion, as all respectable institutions, including the ICTY, have documented this. Thousands of victims have been denied their right to justice. I want to bring to the attention of the Council one particular group: women and girls who suffered the war crime of sexual violence. While Serbia is governed by a climate of impunity, time is passing, witnesses are dying, memories are fading and the perpetrators of rape must urgently be brought to justice in order to ensure justice for the victims before it is too late.

Survivors of sexual violence in Kosovo, and there are 20,000 of them, still bear the scars, both physical and psychological, of this form of torture. Many were raped in front of their families as Serbian forces came to kick us out as part of their ethnic cleansing campaign. With the systematic rape campaign unleashed in Kosovo during the war, the Serbian security forces intended to continue the war long after it ended by aiming to leave us fragile.

Yet there has been no trial for the perpetrators of rape, not at The Hague, not even in Kosovo, even though Kosovo was administered by the United Nations. Even today, the survivors of war rape in Kosovo are not included in United Nations resolutions or reports. On behalf of them, I seek justice. We need to see the perpetrators behind bars, and we need to collectively and globally do more, so that the victims of sexual violence in conflict throughout the world feel supported and not alone.

The elderly make up another very vulnerable group that is still suffering the consequences of the war. There were 88,900 Kosovar Albanians who were left without their rightful access to their contributions on their pension fund. All their hard work, savings and contributions made in the most honest way were taken away from them and never returned. The European Court of Human Rights handed down a decision stating that Serbia violated local and international law by the violent interruption of pension paymentss to Kosovo-Albanian citizens, which should be not only returned retroactively, but also with damages suffered during the years. This is an issue that needs to be addressed,

and we believe the dialogue in Brussels is the platform for it.

Every time we come to debate in this Chamber, Serbia tries to portray a very dark picture regarding the living conditions of the Serbian community in Kosovo. I can only reassure the Council that minorities in Kosovo cherish a wide range of extensive rights, which are enshrined in our Constitution. Unfortunately, the same cannot be said for Serbia itself, where even the Council of Europe called on it to step up the efforts with regard to the effective and consistent implementation of legislation on the protection of minorities and the non-discriminatory treatment of national minorities throughout Serbia, especially with regard to education and the use of native languages. The Albanian community in Preševo, Medveđa and Bujanoc are a testimony to the problems that exist.

Minorities in Kosovo are fully represented, and we are doing our best to support them. We have in place the Development Fund for Northern Kosovo, which derives its revenues from taxes collected at the Jarinje and Tabavije border crossing points. The revenues collected so far amount to €8.3 million and are used to support the socioeconomic development of the northern municipalities. The board of the Fund is managed by our Minister of Finance and a Serbian representative and is chaired by the European Union Special Representative. In the current month alone, €1.9 million was awarded to Kosovo's northern municipalities. So far, €6.6 million has been awarded from the Development Fund to the four northern Kosovo municipalities. For the full integration of all municipalities in the justice system, 39 agreements, totalling €1 million, were signed for capital investments from our Ministry of Local Government and four municipalities. Another 89 agreements for capital investments, amounting to €14.5 million, were signed between different ministries of the Government and the northern municipalities.

With regard to the returnees, 121 houses were rebuilt in 2015 under just one programme, co-funded by the European Union and the Government of Kosovo. Our Government has also continued to provide financial support to initiatives for return and reintegration. The construction of houses is a clear example of the ongoing efforts of our Government to accommodate returnees and their reintegration. One hundred and thirty-four returnee families benefit from support in different regions. Every citizen of Kosovo is free to return, but the figures put forward often project an unrealistic starting point. It is true that more Serbs lived in Kosovo before 1999, but we also need to remember that many of them were part of the military and police establishment that came from Serbia as part of the repressive apparatus in Kosovo. Obviously, they will not come back.

The picture is very different from the one Serbia insists on painting here every three months by reading from police reports and by trying to give a political and ethnic dimension to every single stone thrown in Kosovo. Let me be honest: while progress has been made and the normalization of relations in the region has gained new momentum, especially with the inter-State dialogue between Kosovo and Serbia, reconciliation among people will be possible only after there is recognition by Serbia for the crimes committed and after a sincere and official apology is made. Serbian human rights champions Sonja Biserko and Nataša Kandić have continuously raised their voices and advocated for that. We need that acknowledgement from Serbia, because everyone in the region needs to move forward and address the challenging issues of the present.

The Constitutional Court in Kosovo gave very clear guidelines as to how the association of the Serbian municipalities should be established. Legitimate concerns were raised about it, but now the Government has a clear road map in its hands on how to establish the association, without hurting the functionality of our State. We will not allow the reproduction of the dangerous models we have witnessed in the region, where one entity hinders the progress and road forward for the entire community and countries.

We in Kosovo believe that dialogue is important, but good faith and the implementation of agreements, in earnest and without ambiguity, is everything. Engaging in dialogue with the cynical objective of obtaining favours and compliments from Brussels is counterproductive, if we all do not talk in earnest with our public about what dialogue is about. The dialogue is not about reinstating Serbia in Kosovo. The dialogue is not about rewriting history. Kosovo is a free, independent and sovereign State. That will not change.

What must change is Serbia's attitude towards us. The dialogue in Brussels is a good first step. Dialogue is about making sure that history does not repeat itself. Dialogue is about building trust and bridges of cooperation for the common good and common benefits. Dialogue is about making sure that what we leave behind

for future generations is not characterized by tension, ambiguity and mistrust. Dialogue is about making sure that we treat each other with dignity and as equals, as two States that are, and will be, neighbours — and, hopefully, members of the European Union. That is the dialogue Kosovo wants. That is the dialogue we want to engage in.

The political climate in Kosovo is fierce and often tense. We are still a very young democracy, and we are still learning. The Parliament of Kosovo elected a new President, Mr. Hashim Thaçi, with 71 votes. There were protests and there were celebrations. While our political leaders have their obvious disagreements, let no one have any doubt as to our collective aspiration to Euro-Atlantic integration and values. The 21 January ratification of our Stabilization and Association Agreement by the European Parliament cemented that path. Another milestone for Kosovo was its selection by the Millennium Challenge Corporation as a country eligible for assistance. Kosovo had to work hard to improve its performance in many indicators, and much more remains to be done.

On behalf of the Government of Kosovo, I want to state the following. The United Nations Interim Administration Mission in Kosovo (UNMIK) is now only a reporting mission, based on the report of the Secretary-General that was approved by the Security Council in 2008 (S/2008/692). The United Nations may decide to keep an expensive mission in Kosovo that is costing the Organization a quarter of a billion dollars a year, at a time when those resources could be used elsewhere, but there is no doubt that the wheel of history cannot be turned back. While we are thankful for the role played by UNMIK in the immediate aftermath of the war, this is 2016 — not 1999.

As we look ahead, there is no doubt that many challenges remain, and that a lot more needs to be done to fulfil the rightful expectations of all Kosovar citizens. They have the absolute right to demand more from our Government and institutions, as they give us reasons to be proud every day. Just last night, two Kosovar teenage boys walked the red carpet in Los Angeles as the entire nation stayed awake and united to celebrate our first Oscar nomination. Although we did not win the Oscar this time, the movie won millions of hearts, telling the story of Kosovo better than any Ambassador ever could, and reminding us of the steep price we had to pay for our freedom. We were reminded that no dream is too big and no hope too high. While we prepare for our first appearance in the Olympic Games in Rio de Janeiro, where our flag will be raised for the first time, our nation is uniting again to support our golden champion. Majlinda Kelmendi.

These are the new heroes of Kosovo — artists and athletes who inspire the nation. It is a generation that is fighting isolation by providing examples for all of us through their hard work and dedication. While Majlinda and our athletes prepare for the Olympics, we should be working even harder to enable Kosovo's participation and membership in all international organizations. Our young people cannot and should not remain hostage. Kosovo is here to stay — forever. And we will do our outmost to have our flag and our voice raised in all international organizations, including the United Nations.

The President (*spoke in Spanish*): I now give the floor to the members of the Security Council.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We welcome the participation of Deputy Prime Minister and Minister of Foreign Affairs of Serbia, Mr. Ivica Dačić, in this meeting, and we share the assessments he has made here today.

We thank the Special Representative of the Secretary-General for Kosovo, Mr. Zahir Tanin, for his briefing on the situation of the United Nations Interim Administration Mission in Kosovo (UNMIK), which paints a worrisome picture of the situation in the province. That is no surprise. No matter how convincing Ms. Vlora Çitaku's interesting interpretation of history and contemporary realities may be, the situation in Kosovo is characterized by ongoing crisis and disorder. Clashes with the opposition regularly spill out into the street and mass confrontations erupt against the police. We hope that the international presence will manage to keep the situation under control.

The situation of the Kosovar Serbs remains very serious. The report of the Secretary-General (S/2016/99) notes instances of physical violence used against them, including the stoning of a bus with internally displaced persons and gunfire against Serbian homes. After UNESCO rejected Kosovo's application for membership, further flagrant evidence was received of threats against Orthodox holy sites in Kosovo. In January, participants in anti-Government demonstrations in Pristina desecrated the unfinished basilica of the Church of Christ the Saviour in that city without intervention by the Kosovar police.

The main channel for communication between Belgrade and Pristina is the dialogue mediated by the European Union (EU). Despite the important agreements reached in August 2015, there has been little real progress in that area. First of all, for the time being the key idea of creating an association of Serb-majority municipalities in Kosovo exists only on paper. That project was intended to contribute to the improvement of inter-ethnic relations in the province by granting genuine rights to the Serbian community. The parties agreed to that in April 2013 — almost three years ago.

The situation is hardly satisfactory, and the reason for that is simple. It is due to the continuing neglect by the Kosovar side of its commitments, and to attempts to unilaterally revise its commitments under the pretext of the rulings of the so-called Constitutional Court of Kosovo. European Union mediators remain silent and appear to lack the strength — or possibly the will — to force Pristina to play by the rules. Nor has their been much headway after the latest round of high-level dialogue between Belgrade and Pristina on 26 January. It appears that the meeting was a simple observation of formalities.

There is a major situation around which dialogue has been taking place. As we know, in December 2015 membership discussions were launched between Serbia and the European Union under chapter 35, "Other matters", in which the issues of Kosovo are to be addressed. The Brussels negotiating platform has a number of provisions that are cause for serious concern for the Serbian side. It is difficult not to shake the impression that the majority of the EU, which has been seeking to legitimize Kosovo statehood, is trying to push Belgrade to surrender its positions one step at a time and to blackmail it with the suspension of its membership in the European Union. How else can we interpret the demand to stop Belgrade's financing of Serbian municipalities or the forcing of Serbs to adopt Kosovar insignia? How can we interpret the sending of statements concerning pension payments by Serbia to Kosovar agencies, or the right for citizens of third countries to enter Serbia? On what basis are these demands being made? Resolution 1244 (1999), which remains the framework for the peace settlement, does not mention any of that. The EU approach to mediation raises, at the very least, serious questions about its impartiality.

Steady progress in repairing the legacy of the conflict, including investigating the crimes of the Kosovo Liberation Army, without which it will be impossible to achieve inter-ethnic reconciliation. The readiness of the Netherlands to host the main infrastructure of the specialist court is a step forward. At the same time, more than five years have passed since Dick Marty, Deputy of the Parliamentary Assembly of the Council of Europe, submitted a report that launched real work in that area. The time for the international community to at least partially atone for its moral responsibility to the victims it was unable to protect is slowly passing. Unfortunately, we see that the launching of the tribunal mechanism is being delayed due to the domestic situation in Kosovo, where the idea is causing acute protest, especially from the opposition. We hope that this year there will be progress on the matter. Crimes need to be investigated, and criminals, no matter what position they currently occupy, need to be punished.

At the same time, against the backdrop of the ongoing lack of justice in relation to the fighters of the Kosovo Liberation Army, we are puzzled by the guilty verdict handed down by the Court of the European Union Rule of Law Mission in Kosovo against the Kosovo Serb leader Oliver Ivanović, who received the severe punishment of nine years of prison. Ivanović was found guilty of killing Albanians, based on flimsy arguments and without concrete testimony that he personally took part or ordered those killings. We hope that within the framework of the upcoming appeals process, the international judges will rectify what has emerged as a politicized verdict.

On more than one occasion, we have drawn attention to the danger of disregarding the fact that the lack of proper law and order in Kosovo leads to the use of territory by Islamic terrorist groups for recruiting and training of militants. A recent and alarming indication of that was the arrest of an armed group of Islamists near the monastery of Visoki Dečani in late January. According to several reports, the members of that group were carrying the insignia of the Islamic State. We hope that that case will be thoroughly investigated and that the channels used by the extremists to penetrate Kosovo and acquire supplies will be shut down. It is still incomprehensible why the international institutions lack any information concerning the circumstances surrounding the Kumanovo incident,

involving incursions by a group of militants from Kosovo in Macedonia in May 2015.

In conclusion, we wish to confirm that the United Nations Interim Administration Mission in Kosovo remains a key element of the international presence and control over the situation, making it possible to maintain relative stability in the province. In such conditions, we believe it extremely important to ensure that the Mission's human and financial resources remain unchanged. Resolution 1244 (1999) remains fully in force as the international legal basis for a settlement in Kosovo. We consider Pristina's ongoing attempts to infiltrate international organizations to be unacceptable, especially in the light of how the modalities of Kosovo's participation in supranational structures are defined in the First Agreement on Principles Governing the Normalization of Relations of 2013 between Belgrade and Pristina.

Mr. Lucas (Angola): We thank Special Representative Zahir Tanin for his briefing on the report of the Secretary-General (S/2016/99) on the United Nations Interim Administration Mission in Kosovo (UNMIK). We welcome the participation of Mr. Ivica Dačić, First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia, at this briefing. We equally welcome Ambassador Vlora Çitaku.

The overall security situation in Kosovo remains stable in general, despite outbreaks of violence during political protests. We underline the fundamental role played by the United Nations through UNMIK in promoting security, stability and respect for human rights, as well as its cooperation with the Organization for Security and Cooperation in Europe and the European Union Rule of Law Mission in Kosovo (EULEX), and its engagement with Pristina and Belgrade. We will focus our intervention on three main issues.

First, we will focus on key political developments. We highlight Belgrade and Pristina's commitment to continuing the high-level dialogue facilitated by the European Union and the progress achieved in the process of European integration with the signing of the Stabilization and Association Agreement with the European Union, which has been ratified by the Assembly of Kosovo. We also welcome the progress achieved in the integration into Kosovo of institutions of former Serbian civil protection personnel. Another positive note is the initiatives taken by business leaders within the chambers of commerce in Belgrade and Pristina, aimed at strengthening cooperation among business communities.

However, despite those positive developments, we acknowledge how disturbing the Special Representative's briefing is with regard to the polarization of Kosovo's political landscape, which has reached unacceptable levels, while the extremes of political antagonism have clearly transgressed basic democratic norms. Moreover, also of great concern are the rejection by the opposition of the integration of the association of Serb-majority municipalities into Kosovo, the opposition to the agreement on territorial delineation signed with Montenegro, and the opposition's continued use of violence and inflammatory rhetoric, which is undermining the functioning of the Assembly of Kosovo.

Secondly, with regard to human rights, we welcome the appointment of a Joint Working Group by Belgrade and Pristina on the persons unaccounted for in connection with events in Kosovo, while stressing the right of return for those Serbians, who were forced to leave their ancestral lands. We appreciate the Sixteen Days of Activism against Gender-Based Violence campaign, held in Kosovo at the end of last year, aimed at raising awareness of gender-based violence and advocating for improved institutional responses. UN Women further supported the implementation of the the plan of action of the Kosovo Council on the survivors of sexual violence, aimed at ensuring their access to justice and providing joint training with EULEX on sexual violence for investigators, judges and prosecutors.

Thirdly, we commend UNMIK's maintaining technical cooperation with rule of law-related institutions. UNMIK's continued facilitation of communication between the Kosovo authorities, INTERPOL and its member States has also been facilitating requests for mutual legal assistance from States that do not recognize Kosovo. We value UNMIK's role in facilitating dialogue between communities and officials and monitoring relations among them, as well as the maintenance of technical cooperation with the relevant institutions and international organizations.

Finally, we want to reiterate our position that resolution 1244 (1999) continues to be the applicable legal framework for a comprehensive solution to the Kosovo issue, through dialogue and negotiations, based on the purposes and principles of the Charter of

the United Nations and the framework of the relevant Security Council resolutions.

Mr. Bermudez (Uruguay) (*spoke in Spanish*): I the Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), Mr. Zahir Tanin, for having introduced the latest quarterly report (S/2016/99). I also thank the First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia and Ms. Vlora Çitaku.

Uruguay supports the role played by UNMIK in promoting security, stability and respect for human rights. It also values the cooperation and contribution of the Organization for Security and Cooperation in Europe, the Kosovo Force and the European Union Rule of Law Mission in Kosovo on the ground. Resolution 1244 (1999) remains the internationally accepted legal basis to resolve the situation in Kosovo, including full and strict respect for the principle of the territorial integrity and sovereignty of Serbia. In that regard and as was demonstrated in the framework of UNESCO, Uruguay has maintained its position of not recognizing Kosovo, thereby highlighting the principle of the territorial integrity of States as an imperative norm of international law. That principle constitutes a central element of peaceful coexistence and cooperation among the members of the international community.

Although the security situation has been qualified as stable, we are concerned by the ongoing disturbances in the functioning of the Assembly of Kosovo, owing to the opposition parties' use of violence. It is critical that such differences be settled through dialogue, rather than by resorting to violence and undermining democracy. Furthermore, Uruguay welcomes the agreements approved on 25 August 2015 in the framework of dialogue between Belgrade and Pristina, facilitated by the European Union, and in particular the establishment of the association of Serb-majority municipalities. We appreciate the fact that the Government of the Netherlands has agreed to host the specialist court. We hope that the court will be able to begin its work as soon as possible so as to advance the enforcement of justice and accountability.

Regarding human rights, we are concerned about the fact that the UNMIK Human Rights Advisory Panel has reported 31 incidences of violations, including violations of the right to life, of the prohibition of torture, inhumane or degrading treatment, as well as the right to social security and an adequate standard of living. We note that since the previous report (S/2015/833), no progress has been made with regard to the recommendations on the payment of compensation. In that regard, and in conclusion, we would like to reiterate our belief in the importance of ensuring that UNMIK implements the recommendations of the Human Rights Advisory Panel, particularly regarding the issue of enforced disappearances, abductions or violations of civilians, whatever their ethnic origins, for in such incidents there can be no justification for making any kind of distinctions.

Mr. Zhao Yong (China) (*spoke in Chinese*): I would like to thank Mr. Tanin, Special Representative of the Secretary-General, for his briefing on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK). China welcomes the statement of Mr. Ivica Dačić, Deputy Prime Minister and Minister for Foreign Affairs of Serbia, and his presence at today's meeting. I have also listened attentively to the remarks of Ms. Vlora Çitaku.

China respects the sovereignty and territorial integrity of Serbia, and we understand Serbia's legitimate concerns regarding the question of Kosovo. Resolution 1244 (1999) is the principal legal basis for resolving that question, and it is vital that in doing so we adhere to the purposes and principles of the Charter of the United Nations and engage in dialogue and negotiations within the framework of the relevant Security Council resolutions, in order to reach an appropriate settlement that is acceptable to all the parties. We appreciate Serbia's positive efforts in the search for a political solution to this issue, and welcome the significant consensus that has been reached in the high-level dialogue between Belgrade and Pristina on mutual recognition of academic credentials and personnel integration. China supports both parties in their efforts to continue their pragmatic and constructive dialogue, implement the agreements that have been reached and seek a lasting solution acceptable to both, so as to safeguard peace and stability in the Balkans and, for that matter, in Europe as a whole.

The recent security situation has remained generally stable, but Kosovo is still dealing with complexities and uncertainties in its efforts to achieve social development. The parties concerned should work to effectively protect the legitimate rights of all of Kosovo's ethnic groups, actively promote national reconciliation and avoid acts that might complicate

or escalate the situation. China appreciates the work being done by UNMIK under Special Representative Tanin. We support its continued efforts to carry out the Security Council's mandate, and we hope that the international presence in Kosovo, including UNMIK, the European Rule of Law Mission and the Kosovo Force, will improve their coordination with a view to playing a positive and constructive role in achieving an appropriate settlement of the Kosovo issue.

Mr. Mahmoud (Egypt) (*spoke in Arabic*): I would like to thank Mr. Zahir Tanin, Special Representative of the Secretary-General, for his very informative briefing on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK). I would also like to welcome Mr. Ivica Dačić, Deputy Prime Minister and Minister for Foreign Affairs of Serbia, and Ms. Vlora Çitaku, and to thank them for their statements.

Egypt has been following political developments in Kosovo closely and urges all the parties concerned to shoulder their responsibilities, to demonstrate wisdom and restraint and conduct a constructive and transparent political dialogue aimed at reducing tensions, mitigate and resolve the crisis and avoid moves that could lead to confrontations with the potential to undermine the stability of the entire region. We warn the various parties in Kosovo against escalations and ratcheting up tensions, which could have an impact on the agreements that have been made with the Republic of Serbia.

Egypt supports every effort aimed at reaching a solution that responds to all the issues under discussion between Belgrade and Pristina, through dialogue and serious negotiations based on good faith and mutual respect and on the purposes and principles of the Charter of the United Nations and the relevant Security Council resolutions, particularly resolution 1244 (1999), as well as the agreements concluded between the parties in April 2013 and August 2015. We emphasize that all the parties should work to achieve a genuinely constructive atmosphere in order to restart the political dialogue, facilitated by the European Union, whose efforts culminated in the August 2015 agreement. In our view, the agreement must be implemented if stability is to be achieved through a plan of action. All the provisions of the package, with its four agreements, should be implemented in full, without exceptions, in order to avoid the possibility that the agreement could become a focus of discord. Every effort should be made to arrive at a definitive settlement that can help bring prosperity to the peoples of the region.

The positive developments discussed in the Secretary-General's report (S/2016/99) should also form the foundation for greater progress, particularly those in the areas of communications, cooperation between the Chambers of Commerce in Belgrade and Pristina and the reintegration of former Serbian civil protection personnel into Kosovo institutions, as well as the interchanges between the mayors of North and South Mitrovica. We commend the Government of the Netherlands for hosting the specialist court for prosecuting war crimes committed during the conflict. We hope the court will be able to establish the principles of the rule of law, of judicial accountability and, based on that, of reconciliation generally. We wish it every success.

We also hope to see progress on the voluntary returns of displaced persons to Kosovo, the protection of cultural and religious heritage sites, and strengthened efforts to achieve reconciliation and equality, non-discrimination among all the parties concerned, the protection of minority rights and the rule of law, while dealing with the challenges of migration and the possible spread of extremism and terrorism.

Lastly, Egypt supports the work of UNMIK and the Special Representative, as well as of all the regional and inter-regional organizations, and the cooperation and coordination between UNMIK, the European Union Rule of Law Mission and the Organization for Security and Cooperation in Europe aimed at implementing resolution 1244 (1999).

Mr. Hickey (United Kingdom): I am grateful to Special Representative Tanin for his briefing and I welcome First Deputy Prime Minister Dačić and Ambassador Çitaku back to the Security Council.

As this is the first Council meeting on Kosovo this year, I would like to begin by looking forward to what 2016 holds in store. It will be a year of firsts: Kosovo's first Olympic games, its first film nomination at the Oscars — I am sorry that Kosovo did not win — and, perhaps more importantly still, its first contractual relationship with the European Union in the form of the Stabilization and Association Agreement — all this for country that only celebrated its eighth year of independence earlier this month. But if Kosovo is to fulfil the promise of 2016, the start of the year also

shows us that there are significant steps still ahead. I want to focus on three of these today.

First, like others in this Chamber, the United Kingdom shares the Secretary-General's concern over continued violence and the use of inflammatory rhetoric. Everyone has the right to protest peacefully, but disrupting the work of the Assembly and bringing violence to the streets of Pristina serves no purpose. It only damages Kosovo's development, its image and its people.

Last Friday saw an important moment for Kosovo when its Assembly elected Deputy Prime Minister Thaçi as Kosovo's next president. But it also saw further deeply worrying scenes of violence inside and outside the Assembly, which we condemn. Dialogue, not disruption, is the only way forward. I would like to take this opportunity to reiterate the United Kingdom's fullest support for President Jahjaga's mediation efforts to resolve the political crisis. As a long-standing and close friend of Kosovo, the United Kingdom will offer our support Kosovo's new President to continue these important efforts. It is of course for Kosovo's political leaders to reach a solution, not for the international community. Every politician in Kosovo must take responsibility for his or her own actions and for the impact of those actions on Kosovo and its people.

My second point relates to the signature and ratification of the Stabilization and Association Agreement, which is a clear milestone in Kosovo's European journey. It was fitting recognition of Kosovo's progress and achievements over the past years. Kosovo now needs to capitalize on this progress. So we regret the delays in the implementation of the agreements reached between Kosovo and Serbia. I encourage both sides to focus on delivering on promises, to concentrate on implementation of agreements reached and to continue to demonstrate political courage and leadership.

We have seen the results of such leadership during the latest reporting period. A successful application to the International Telecommunication Union and a renewed commitment from Kosovo's Prime Minister on the association of Serb-majority municipalities and, as the Secretary-General's report highlights, there has been welcome progress on the integration of former Serbian civil protection personnel into Kosovo's institutions (S/2016/99).

That leads into my third point. To really seize the potential of 2016, Kosovo needs to continue such cooperation at all levels of society, including politics and business. There have been some great examples already this year benefiting all communities, continuing cooperation between mayors of Mitrovica North and Mitrovica South, and in the links being forged between business leaders in the Pristina and Belgrade chambers of commerce. The international community should play its part and help. The United Kingdom helped to fund the business forum convened by the two chambers of commerce in December. The success of that event shows the progress can be made in areas of mutual benefit without mediation if there is a will to do so.

Serious underlying challenges remain, not least in the rule of law, corruption and, of course, in the political crisis. Kosovo's leaders must take responsibility for addressing these challenges in the interests of all Kosovo citizens. That said, eight years after independence, the overall trend is clearly positive and the progress is undeniable. In the light of that, it is the United Kingdom's long-standing view that we should reduce the frequency of these Council meetings in order to reflect this progress.

Yes, challenges remain, but the reality on the ground does not warrant this level of Council attention, especially when we have so many other far graver challenges confronting the Council. It long past time to acknowledge that it is the European Union and not the Security Council that will bring momentum to further progress. Our efforts must therefore focus on supporting dialogue in Brussels and on the normalization of relations, not on these briefings here in New York.

Mr. Lamek (France) (*spoke in French*): I too thank the Special Representative of the Secretary-General for the comprehensive briefing on the situation he gave us from Pristina. I also thank the Deputy Prime Minister and Minister for Foreign Affairs of Serbia, Mr. Ivica Dačić, and the Ambassador of Kosovo, Ms. Vlora Çitaku, for their statements to the Security Council.

I would like to address three points: our support for the continuation of dialogue between Belgrade and Pristina, conducted under the auspices of the European Union; our firm condemnation of the violent methods of some opposition parliamentarians; and our ongoing commitment to the strengthening of the rule of law in Kosovo.

France welcomes the continuation of the political dialogue between Serbia and Kosovo under the auspices of the European Union. The recently holding of a new

meeting of Serbian and Kosovar Prime Ministers in the presence of the High Representative of the European Union is a further demonstration of the commitment of Belgrade and Pristina for the process of bilateral rapprochement. Further progress has been made on this front in recent months. Integration of nearly 400 Serbian civil protection agents in various Kosovo institutions is a significant and symbolic step forward likely to strengthen the integration of the various communities in the country. Progress under way with respect to harmonizing diplomas, freedom of movement, air and rail integration will also have concrete positive impact on the everyday lives of Kosovar and Serbian citizens. We welcome this.

We expect, however, that all commitments undertaken in the framework of agreements concluded under the auspices of the European Union to be implemented without delay, including on the creation of the association of Serb-majority municipalities, which recently received a favourable opinion from the Constitutional Court of Pristina. This is a key element of the dialogue. The normalization of relations between Belgrade and Pristina remains generally a prerequisite for their respective progress on the path of European integration.

The political situation in Kosovo is worrying. The current disruptions of the functioning of the Assembly are absolutely unacceptable, as are violence and other acts of intimidation against politicians. France calls on those responsible for these unacceptable acts to play the game of democracy and press their claims within the framework of existing institutions and in compliance with the provisions of the Constitution.

Violence and hate rhetoric have no place in the society to which the overwhelming majority of Kosovo citizens aspires. They jeopardize the progress achieved by Kosovo patiently for over 10 years on the path of building an independent, modern and democratic State. We salute the professionalism and restraint by the Kosovo Security Forces and the mediation efforts carried out by the authorities in Pristina. We assure them once again of our full support.

The election of the new President was an important and necessary step in the proper functioning of institutions. We regret the behaviour of some members of the opposition on this occasion. Despite tensions, Kosovo authorities should seek to maintain dialogue and continue to listen to the people. Internal reforms are essential if citizens' prospects for the future are to be restored. The implementation of the Stabilization and Association Agreement should lead in this direction by creating favourable conditions for necessary changes.

Continuing wholehearted efforts to consolidate the rule of law in Kosovo must more than ever remain a priority. This pertains first and foremost to the combat against impunity. The ratification last week by Kosovo of the headquarters agreement signed with the Government of the Netherlands to set up the Kosovo Specialist Chambers in The Hague is a bold step forward that we welcome. This is a clear reflection of the determination of Kosovo to implement its commitments in the area of the rule of law. It is now important that all components of these Specialist Chambers begin operating according to the planned timetable and that the Kosovar authorities cooperate fully, so that prosecution of those responsible for the crimes denounced in the Marty report can begin.

Continued work on the question of disappeared persons is also of great importance. The signing of a cooperation agreement on the exchange of information between Kosovo and Montenegro is a step in the right direction. Relaunching the dynamic of the Serb-Kosovar joint Working Group on this topic, however, is urgent. We hope that this work will benefit from the recent appointment by Pristina of the head of its delegation, which we welcome.

The United Nations Interim Administration Mission in Kosovo (UNMIK) also has an important role to play in this area. I would be grateful to the Special Representative of the Secretary-General if he could tell us about the measures planned for the implementation of recommendations in this area by the UNMIK International Human Rights Working Group, in particular regarding the prosecution of those responsible for violations and compensation for victims.

Consolidating the rule of law also means combating radicalization in all of its forms. France welcomes the unconditional commitment of Kosovo in this area both at the local level and in the context of the international coalition against Da'esh.

Finally, I take this opportunity to reiterate our support for the European Union Rule of Law Mission, which provides daily support for the rule of law and security in Kosovo.

I should like to conclude by recalling once again, as our colleague from the United Kingdom has just done, our wish that the Council finally review its timetable for consideration of this issue given the continued progress on the ground, particularly concerning the consolidation of Kosovar institutions and the bilateral dialogue between Kosovo and Serbia.

Mrs. Schwalger (New Zealand): I, too, thank Special Representative Tanin for his briefing, and we also welcome First Deputy Prime Minister Dačić and Ambassador Çitaku to this discussion.

The European Union-facilitated dialogue continues to play an important role in normalizing relations between Belgrade and Pristina. New Zealand is pleased to see continued constructive engagement in this dialogue by the leadership of Serbia and Kosovo, including the recent high-level meeting in January. Under the auspices of this dialogue, both sides have made a number of commitments to each other, as we have heard today. While many practical steps have been taken to fulfil these agreements, important work remains. This includes the ongoing process of establishing an Association/Community of Serb majority municipalities in Kosovo. We urge both sides to engage constructively to deliver on the commitments without delay.

While the overall security situation in Kosovo has continued to be generally stable, we are concerned, as others have noted, about the recent incidents of politically motivated violence. There is no place for this in a democracy. All parties should reject the use of violence and intimidation to achieve political aims. Disagreement can be resolved only through dialogue.

In this regard, it is most unfortunate that some members of opposition parties are not setting a better example through their own actions. The physical disruption of the Kosovo Assembly, including the use of tear gas, serves only to encourage those who wish to use force to achieve political goals. Political leaders must reject all acts that undermine the proper functioning of democratic institutions. Special Representative of the Secretary-General Tanin has given us some useful food for thought today in his call to shift the focus away from political battles and towards more fundamental issues.

We continue to follow the progress towards establishing a special court to address serious allegations arising from the work of the European Union Special Investigative Task Force. In this regard, we welcome the recent agreement by the Netherlands to host this court. Like others, we hope that the court will be in a position to commence its work as soon as possible.

While there are ongoing challenges, the security situation in Kosovo is generally stable, as we have said. Sadly, the same cannot be same for many of the other pressing issues requiring the Council's time and attention. On this basis, we reiterate our view that the Council should adopt a more flexible approach as to how and when it considers this agenda item.

I should also like to take this opportunity, as I did not this morning, to thank you, Mr. President, for your stewardship of the Council this month, and we look forward to working with Angolan colleagues, who will be presiding over the Council in March.

Mr. Ciss (Senegal) (*spoke in French*): Allow me to begin by welcoming the holding of this meeting. I wish also to thank the Special Representative, Mr. Tanin, for the clarity of his briefing. I should also like to welcome among us His Excellency Mr. Dačić, First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia, and Ms. Vlora Çitaku.

My delegation would like at the outset to welcome the election on 26 February by the Kosovo Assembly of Mr. Hashim Thaçi as President of the Republic of Kosovo. My delegation takes the opportunity presented by this important event to call on all political players in Kosovo to follow the rules of democracy and respect the choice that the Assembly has just made, in particular by refraining from any acts of violence, which harm individuals and public property.

I hardly need to stress the negative effects that recent events such as the ones I have referred to, especially violent demonstrations, could have on the dialogue between Pristina and Belgrade. Senegal welcomes this dialogue, which is being held under the auspices of the European Union. Senegal therefore calls on both parties to continue talks at a very high level, also under the auspices of the European Union. At the same time, we wish to encourage countries and partners with influence to continue to bring it to bear in order to support the talks.

Furthermore, I am pleased to note the two agreements signed in August 2015 by the Government of Kosovo, one with Serbia, including the establishment of an association of Serb municipalities; and one with Montenegro, on territorial delineation between the

two countries. The agreement on a three-stage plan between the Chambers of Commerce of Belgrade and Pristina to harmonize veterinary certificates and to overcome technical obstacles to cross-boundary commerce also deserves our approval, as does the signing by representatives of the Serbian Armed Forces and the Kosovo Force of an agreement to fully relax the air safety zone. We strongly encourage the parties to continue along this path and to strengthen dialogue in order to comprehensively manage border crossings.

These advances will not be in vain. We call on the international community to support and encourage them. The confirmation of Kosovo's eligibility to develop a Millennium Challenge Corporation compact is good news; this should translate into the mobilization of financing for development amounting to $60 million to $100 million over a five-year period. We should encourage the stakeholders to take further steps towards peacebuilding and development, especially by implementing the agreements of 25 August 2015 in the north of Kosovo.

With regard to promoting the rule of law, my delegation is pleased with the imminent start of the work of the specialist court, a Kosovar institution, which will have its headquarters in the Netherlands and will be made up of international judges responsible for trying serious crimes committed during, or immediately after, the Kosovo conflict.

In the same vein, continued cooperation and coordination efforts between parties is essential to facilitate, with the support of the Office of the United Nations High Commissioner for Refugees, the return of over 16,502 displaced people or, if not, seek lasting solutions for them.

Senegal also supports without reservation the joint European Union-United Nations programme aimed at building confidence among communities by protecting cultural heritage and recommends the strengthening of synergies, especially the cooperation to exchange information on resolving the situation of disappeared persons.

In conclusion, we would like to pay tribute once again to Mr. Zahir Tanin, Special Representative of the Secretary-General, for his wise leadership of UNMIK. We would also like to recognize the efforts of the Kosovo Force, the European Union Rule of Law Mission in Kosovo and the Organization for Security and Cooperation in Europe, all of which are working for peace and progress in Kosovo.

Mr. Klein (United States of America): I would like to welcome Special Representative of the Secretary-General Tanin back to the Council, even if only by video. I would also like to welcome Foreign Minister Dačić and Ambassador Çitaku back to the Council. The United States commends both of their Governments for their ongoing efforts to normalize relations through the European Union-led dialogue between Pristina and Belgrade.

Since 1999, the United Nations has worked hand in hand with the people of Kosovo to develop multi-ethnic democratic institutions of Government. Kosovo has established institutions that uphold the rule of law and respect human rights. The people of Kosovo have made important strides, and the United Nations Interim Administration Mission in Kosovo (UNMIK) has fulfilled its mandate. We strongly believe that the time is right to downsize the mission further, given the acute needs for United Nations personnel elsewhere in the world. We would welcome hearing from Special Representative of the Secretary-General Tanin at our next briefing on progress towards such downsizing.

During this reporting period, we welcomed the 27 January meeting between the Prime Ministers of Kosovo and Serbia in Brussels in the context of the European Union-facilitated dialogue to normalize relations between Pristina and Belgrade. We look to both countries to continue their work and implement their agreements, even as elections proceed in both Kosovo and Serbia. As always, we commend and fully support High Representative of the European Union for Foreign Affairs and Security Policy Mogherini for her personal engagement in advancing the normalization efforts.

Kosovo has also made important advances in the rule of law, in particular the establishment of the specialist court to address serious crimes alleged in the Council of Europe's 2011 Marty report. We encourage the Governments of the Netherlands and Kosovo to expedite the completion of all the necessary steps to establish the specialist court as soon as possible.

The political crisis in Kosovo, in particular the continued violent obstruction of Kosovo's Assembly, is a real cause for concern. The use of violence and tear gas inside the parliamentary chamber and on the streets of Pristina is reckless and irresponsible. It is incompatible with a modern democracy and it must end. Peaceful

protest is a fundamental right in every democracy, but there is no room for violence. Kosovo's turbulent politics reflect the continued struggle that small nation is in the midst of to improve its economic situation in a transparent and fair marketplace, undergirded by the equal application of the rule of law. Dialogue is integral to overcoming the political impasses. We commend the Kosovo police for their professionalism, during the tumultuous days of large-scale protests, in handling the minority who chose a violent path.

Let me take a moment to congratulate Kosovo on the successful election of a new President in accordance with Kosovo's Constitution and laws. We praise outgoing President Jahjaga for her courageous and successful tenure as President of Kosovo. A tremendous advocate for her country and its people, President Jahjaga ably represented and advanced Kosovo's interests at home and on the world stage.

Kosovo continues to contribute to global efforts to counter terrorism and the threat posed by foreign terrorist fighters. Kosovo has taken strong steps to deter violent extremism, develop effective preventive mechanisms and reduce the flow of foreign fighters from Kosovo to Syria and Iraq. We support comprehensive efforts to address those problems, such as Kosovo's national strategy to counter violent extremism and the law criminalizing foreign terrorist fighters. International law enforcement cooperation, especially against terrorism and organized crime, is critical to regional security in the Balkans and beyond. Kosovo's efforts to cooperate with its neighbours and the international law enforcement community should be welcomed, not blocked. We believe Kosovo has the technical capability and legislative framework in place to fully contribute to the international community's law enforcement efforts. It serves no one's interests, other than those of the criminals and the terrorists, to exclude Kosovo from our collective efforts to counter those common threats.

In that vein, we look forward to a day — and we hope it will be in the near future — when Kosovo will participate in all United Nations activities as a full Member, thereby contributing to development, peace and security for all nations. In the meantime, the Security Council's time is better spent elsewhere. We repeat our request that Council members agree to extend the reporting period for the Secretary-General to report on UNMIK from every three to every six months.

Mrs. Adnin (Malaysia): My delegation welcomes First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia Ivica Dačić and Ambassador Vlora Çitaku of Kosovo back to New York and thanks them both for their statements. We are also grateful to Special Representative Zahir Tanin for his comprehensive briefing.

Listening to the statements today, I wish to call on both sides to focus on the way forward. Priority should be given to implementing outstanding commitments in a spirit of dialogue, cooperation and constructive engagement and in securing a promising future for Kosovo. An end should be put to the negative politics of division and exclusivity, which are counter-productive and will not help to build confidence and trust between the two sides. We appreciate the assurances given by Belgrade and Pristina to remain committed to the European Union-facilitated dialogue and we hope to see an intensification of efforts towards implementing existing agreements.

I share the concerns, as elaborated by Mr. Tanin today and the Secretary-General in his latest report (S/2016/99), about the violent protests by the opposition and their supporters in Kosovo who are against the August 2015 package of agreements between Belgrade and Pristina and the territorial delineation agreement with Montenegro. We call on the relevant parties to refrain from adversarial politics in Kosovo, to cease the use of violence and inflammatory rhetoric and to resolve their differences through legitimate channels via dialogue and engagement.

The Kosovo Parliament and the rule of law must be respected. Resorting to violence and intimidation will not bring the parties any closer to their political aims. Instead, it may de-legitimize their struggle and derail the democratic progress painstakingly built by Kosovo over the years. The politics of division serve only to hold the progress towards nation-building and development ransom. Hence, we commend the commitment and efforts made by Kosovo leaders to engage in an inclusive dialogue to resolve the issues, and we applaud the competence and restraint shown by the Kosovo police in responding to the violent protests. The people of Kosovo would benefit from more traction in these areas.

Malaysia is pleased with the progress made by Kosovo during the reporting period, including the signing and subsequent ratification of the Stabilization

and Association Agreement with the European Union (EU). We believe that this is a key step towards peace, stability and prosperity for Kosovo and the region. We call on the leaders of Kosovo to remain steadfast in implementating the Stabilization and Association Agreement and the socioeconomic reforms necessary for regional integration.

We also take note of the developments in the implementation of the 2014 Brussels Agreement, including the integration of former Serbian civil protection personnel in northern Kosovo into various Kosovo institutions. We hope to see more progress made in the implementation of that landmark Agreement, including the integration of the judiciary and the creation of an association of Serb-majority municipalities in Kosovo. The advances made by Kosovo relating to the establishment of the specialist court is yet another step in the right direction. Malaysia reiterates the need to ensure accountability and to promote closure and reconciliation for the people of Kosovo. In that regard, we commend the decision of the Kingdom of the Netherlands to host the specialist court.

On the economic front, Malaysia applauds the cooperation between the Belgrade and Pristina Chambers of Commerce during the reporting period. Such collaboration deserves our strong support, as it could open the doors to further commercial opportunities to the benefit both sides.

Malaysia is gravely concerned about the creeping influence of the Islamic State in Iraq and the Levant in the region. We commend the steps taken by the authorities in Kosovo to combat terrorist threats and to address the phenomenon of foreign terrorist fighters. We simply cannot afford to have terrorist groups manipulating the religious, racial and cultural divide in the region, and in Kosovo in particular, to serve their twisted and violent agenda. We therefore wish to see continued high priority accorded by the Kosovo authorities to combating that global menace. In that regard, Malaysia stands ready to support Kosovo in its fight to combat radicalization and violent extremism.

In conclusion, I join other colleagues in reaffirming support for the United Nations Interim Administration Mission in Kosovo, which continues to play a key role in promoting security, stability and respect for human rights in Kosovo. We also commend the leadership of the Special Representative and the important roles played by the Organization for Security and Cooperation in Europe, the Kosovo Force and the EU towards peace and stability in Kosovo.

Mr. Okamura (Japan): Let me first express my gratitude to the Special Representative of the Secretary-General for Kosovo, Mr. Zahir Tanin, for his comprehensive and insightful briefing. I also welcome the Deputy Prime Minister and Minister for Foreign Affairs of Serbia, Mr. Ivica Dačić, and Ambassador Vlora Çitaku to the Security Council.

Immediately after the United Nations Interim Administration Mission in Kosovo (UNMIK) was established in June 1999, I personally served the Mission in Pristina. My office was next to that of the Special Representative of the Secretary-General, Bernard Kouchner — perhaps Mr. Tanin is now using the same office in Pristina. It was a very difficult time, and we were almost at a loss in the face of numerous challenges. Moreover, at the time UNMIK did not have a clear prospective on Kosovo's future. The major concerns were, first, whether democracy would be restored in Kosovo and, second, whether reconciliation among the Kosovar people could be achieved.

In October 2000, after many challenges had been overcome, the first local election in Kosovo was conducted with the assistance of the United Nations and the Organization for Security and Cooperation in Europe. I was so encouraged to see people waiting over half a day in the rain — due to the poor organization of the election — to cast their votes. I was very much struck by the strength of the Kosovo people's aspiration to democracy. They wore traditional clothing in celebration of the democratic process.

Sixteen years have passed since then, and I am glad that democracy has been taking root in Kosovo. I congratulate Mr. Hashim Thaçi on being elected President. However, the proceedings of the Kosovo Assembly have recently been subject to a series of violent disruptions by opposition parties. The fact that tear gas was sprayed inside the Assembly chamber during the presidential election is a cause of grave concern. My delegation urges those responsible to refrain from using violence. They should realize that any violence runs counter to the Kosovar people's determination to achieve democracy. We have strong hopes that the Assembly will be normalized expeditiously.

Reconciliation between the two major ethnic groups in Kosovo is critical to its future as well as that of the Western Balkans region. In that regard, I welcome the

continued dialogue between Pristina and Belgrade. We welcome the most recent meeting between Prime Ministers Isa Mustafa and Aleksandar Vučić. That meeting, facilitated by the European Union, took place on 7 February. When I served in Kosovo, there was no such dialogue. At that time, it was almost impossible to travel between Belgrade and Pristina by car. I hear that people now cross the border freely.

I encourage both the Serbian and Kosovar authorities to redouble their efforts to sort out their differences and normalize their relations through continued dialogue. I recall being on the bridge in Mitrovica crossing the Ibar River on New Year's Eve in 1999. UNMIK was organizing the millennium ceremony on the bridge, and representatives of the different ethnic groups — Kosovar Albanians, Kosovar Serbs — were all together. In that ceremony, everybody promised that they would walk together for the future of Kosovo. I earnestly invite all political leaders in Kosovo to remember that speech. I have faith in the people of Kosovo, their readiness and strong determination for democracy, and their belief in a better future.

Mr. Yelchenko (Ukraine): I thank the Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), Mr. Zahir Tanin, for his briefing. I also thank Mr. Ivica Dačić and Ms. Vlora Çitaku for their statements.

Like my Japanese colleague, I have my own memories of Pristina. I had the privilege to visit it 16 years ago as a member of a Security Council delegation. Since then the Security Council and UNMIK have continued to play an important role in supporting Kosovo's institutions to tackle the many challenges that lie ahead. Ukraine strongly supports the work of Mr. Tanin and UNMIK in promoting security, stability and respect for human rights in Kosovo and in the region, as well as in its constructive engagement with Pristina and Belgrade. We also commend the UNMIK partners on the ground, including the Organization for Security and Cooperation in Europe, the Kosovo Force and the European Union Rule of Law Mission and the European Union for their cooperation and continuing contributions to peace and progress in Kosovo.

Ukraine takes note of the latest report (S/2016/99) of the Secretary-General on UNMIK, submitted pursuant to resolution 1244 (1999). We agree with the Secretary-General's analysis and observations on the situation in Kosovo and urge all related parties to take measures to stabilize the situation and reach the necessary consensus on the implementation of previously reached agreements. I would like to focus on four main points that we consider important for further stabilization.

First, Ukraine welcomes the continuation of the negotiation process between Belgrade and Pristina and the achieved agreements under the auspices of the European Union last year. We welcome the signing and ratification of the Stabilization and Association Agreement between the European Union and Kosovo and support its European integration. At the same time, we are deeply concerned about the latest acts of violence by Kosovo opposition parties. Those actions have a negative impact not only on the security situation in Kosovo, but also on the whole process of implementation of the package of the Belgrade-Pristina agreements. Such actions are unacceptable, and we call on all political actors in Kosovo to abstain from all forms of violence. We reiterate the calls for respect for the rule of law, democratic procedures and international norms.

Secondly, Ukraine welcomes the agreement on the establishment of the association of Serb majority municipalities in Kosovo and supports the commitment by the Kosovo institutions to continue this process. This agreement is an important mechanism for further stabilization; delaying its implementation would be a step in the wrong direction and would erode the mutual trust that is necessary in any dialogue process.

Thirdly, Ukraine commends the establishment of the specialist court and the agreement of the Government of the Netherlands announced on 15 January to host that institution in The Hague.

Fourthly, we fully share the view of the Secretary-General that it is important to continue the progress made in the integration into Kosovo of institutions of former Serbian civil protection personnel. We also commend the initiatives by business leaders within the Chamber of Commerce in both Belgrad and Pristina to put aside political problems and to build new cooperation within the business community.

Mr. Gasso Matoses (Spain) (*spoke in Spanish*): At the outset, I would first like to express my appreciation for briefing of the Special Representative, Ambassador Tanin, on the text of the most report (S/2016/99) of the Secretary-General. I also like welcome the presence of the First Deputy Prime Minister and Minister for Foreign Affairs, Mr. Ivica Dačić, and of Ms. Vlora Çitaku.

Ambassador Tanin has provided us with an interesting analysis of the current situation in the territory of Kosovo. It is interesting and at the same time worrisome. From what he described, and given the text of the report of the Secretary-General that we have before us, it seems that the situation in Kosovo continues to be unstable. A peaceful development of political activity that is in keeping with the law is increasingly replaced by violent demonstrations and aggressive actions, even within the Parliament, that are entirely unacceptable. Spain notes with great concern that the climate of political tension that the Secretary-General highlighted in his report (S/2015/833) in October has not improved. To the contrary, it is becoming a recurrent standard in the political life of Pristina. Spain is also worried by the recurrent use of incendiary rhetoric, which is once again reflected in the report of the Secretary-General. This is clear evidence that we are far from being able to speak of true and lasting reconciliation between the various communities that share the territory of Kosovo.

Everything that I have just said once again demonstrates the fact that the presence of the United Nations Interim Administration Mission in Kosovo (UNMIK), and possibly of other international missions in Kosovo, continues to be essential. This also clearly underscores that the Security Council must remain attentive to this topic, working on it regularly and assiduously, as we have in the past.

As is well known, Spain strongly supports the high-level dialogue between Belgrade and Pristina facilitated by the European Union. We take note of the most recent meeting held in that context on 27 January. We view that as a step in the right direction, following the total absence of high-level meetings during the three-month reporting period covered by the report of the Secretary-General. However, we regret that at that last meeting there was no significant progress made or progress on new agreements or, which perhaps is worse and more worrisome, progress on the implementation of the agreements already reached. The Brussels dialogue must continue to have a central and priority nature. Abandonment of this key aspect, which appears to be reflected in the report of the Secretary-General, runs the risk of progressive deterioration of trust, and that inevitably would have negative repercussions on the European perspective regarding the many efforts the European Union is making at this time. It is not realistic to consider making new demands without showing beforehand the readiness to implement what has already been agreed to.

In that context, we would like once again to call attention to the need to implement, without delay, the agreement reached on the association/community of Serb majority municipalities in Kosovo. That agrement was reached in good faith, and it should be followed up by the efforts of all to make it a reality, including active and committed work for its implementation with the various political and social actors, as well as at the legislative level.

Finally, I would like to comment on something mentioned in paragraph 3 of the report of the Secretary-General — a comment on the Stabilization and Association Agreement with the European Union. As is known, the content of the Stabilization and Association Agreement of Kosovo affects only the exclusive competencies of the European Union, which preserves the position of those member States of the European Union that do not recognize the validity of the unilateral declaration of independence. For Spain and the other countries that do not recognize it, the Agreement is an end in itself. It incorporates the territory of Kosovo into the stabilization and association process, but it does not establish precedents nor does it imply the inclusion of this territory in the process of the expansion of the European Union. This is in keeping with the constructive position of Spain, which we have repeatedly expressed in the Council. It is a constructive position, without detriment, that respects positions of principle. Along those lines, and as long as that position is respected, we are more than ready to support measures that could benefit the entire population of the territory of Kosovo.

The President (*spoke in Spanish*): I shall now make a statement in my capacity as representative of the Bolivarian Republic of Venezuela.

We express our appreciation for the briefing of the Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), Mr. Zahir Tanin. We also welcome the participation in this meeting of the First Deputy Prime Minister and Minister for Foreign Affairs of Serbia, Mr. Ivica Dačić, and Ms. Vlora Çitaku.

Venezuela wishes to reiterate its full support for international law represented in the peaceful settlement of disputes, non-intervention and respect for the sovereignty, territorial integrity, unity and political

independence of Serbia. In that regard, we believe that resolution 1244 (1999) continues to be the applicable international legal basis to reach a general solution in the framework of a political negotiation on the issue of Kosovo. We recognize that the United Nations has been playing a key role in Kosovo, especially through UNMIK, through the promotion of security, stability and respect for human rights. That work has been complemented by the Kosovo Force (KFOR) and the European Union Rule of Law Mission (EULEX).

UNMIK, KFOR and EULEX, based on their respective mandates, must continue to play a proactive, balanced, neutral and complementary role in direct dialogue with a view to promoting a lasting, sustainable, fair and mutually acceptable solution to the issue of Kosovo. That is especially so at present, since the last time that the Council met to study this issue (see S/PV.7563), the opposition has continued its activities and made it impossible to continue discussing important aspects of the implementation of the First Agreement on Principles Governing the Normalization of Relations of 19 April 2013. That fills us with concern. For Venezuela, dialogue among the various Kosovar political sectors is a necessity to prevent continued acts of violence, which may affect efforts to fulfil the 2013 agreements.

Venezuela supports dialogue in Brussels between Serbia and the local authorities of the province of Kosovo in order to reach a mutually agreeable solution between the parties. We deplore the fact that high-level meetings have not been held recently. However, progress in certain technical areas, such as telecommunications and relations between the Chambers of Commerce, are positive. We suggest that the parties continue conversations and their efforts, aimed at rapprochement. We believe that is essential for the parties to continue their work to establish the association of Serb-majority municipalities in northern Kosovo. We call on the authorities of that province to pursue that process over the short term, as agreed at the highest level in Brussels.

As on previous occasions, we are once again struck by the what the report refers to as the low number of voluntary returns of Serbs who had been displaced from their homes in Kosovo. We believe that, in follow up to the Brussels Agreement of 2013, no effort should be spared at the State and local levels to ensure security, religious tolerance, property and economic rights and the freedom of movement of Kosovo Serbs. Only in that way will real national reconciliation be obtained on the basis of the promotion and respect for human rights and the full application of international standards in this area to prevent discrimination against displaced persons and minorities.

With regard to cultural and religious heritage, we stress the need for the parties to work together to effectively protect the important heritage of the various Kosovar communities. We also call on the parties to step up their joint work to clarify the situation of those who disappeared during the war, and we commend the efforts that have been made going forward in that area. Moreover, we welcome the work carried out by UN-Women with survivors of acts of sexual violence committed during the war and the awareness campaigns on gender violence.

With regard to the fight against impunity, we welcome the offer of the Government of the Netherlands to host the specialist court to investigate accusations of war crimes and crimes against humanity committed during the armed conflict in Kosovo. We will call on all the parties concerned to continue their work so that the court can begin its work as soon possible. The enforcement of justice in respect to those cases, within the framework of due process, will facilitate reconciliation and peace between all parties.

We recognize the efforts of the authorities of the province of Kosovo to continue implementing measures to combat the phenomenon of foreign terrorist fighters with a view to preventing the recruitment of the citizens of the province by terrorist organizations. The fight against terrorism must be bolstered by effective strategies directed against social exclusion, poverty, violence and intolerant ideologies in order to prevent radicalization, especially among young people. Furthermore, work must be done to effectively implement the Security Council and General Assembly resolutions prohibiting the funding, training and transferring of weapons to those groups.

To conclude, once again we encourage the parties to redouble their efforts in the search for a peaceful, fair and lasting political solution within the framework of international law, including full compliance with resolution 1244 (1999) and the Brussels Agreement of 2013.

I now resume my functions as President of the Council.

Mr. Dačić has asked for the floor to make a further statement. I give him the floor.

Mr. Dačić (Serbia) (*spoke in Serbian; interpretation provided by the delegation*): I wish to react to statement made by the representative of the provisional institutions of Kosovo and Metohija.

Before every Security Council meeting, the representatives of the European Union, the United Kingdom and the United States give us suggestions on how to act in the spirit of reconciliation so as to comport ourselves more calmly. Do they offer the same recommendations to the representatives of Pristina that they give to us? Do they expect us to sit here and listen to the most ferocious accusations directed against us and events of the 1950s and 1960s, when the former Yugoslavia and Tito were paragons of democracy compared to Enver Hoxha. We could go back even further in time to the fourteenth century. We are not competing for an Oscar for our performance in the Security Council.

I should therefore like to point out to the representative of Kosovo that no matter how many often we extend our hand, there is no one on the other side to accept that gesture of reconciliation. There has been no mention of the topic before us today — the current situation in Kosovo. What does Serbia have to do with Kosovo's problems in Pristina? What does Serbia have to do with Kosovo's inability to hold a session of Parliament without having to resort to tear gas? I have to say that the representatives of Serbia are the most active in Kosovo's Parliament. Serbia has no role and does not participate in Kosovo's political life.

The representative of Kosovo cannot lecture us with regard to witnesses. She knows what happened in the Haradinaj case — all participants were either killed or are inactive. Whoever perpetrated the crime should be brought to justice. When we listen to the representative of Kosovo, we might conclude that there were no Serbs living in Kosovo and that only police and military officers are present there. However, she knows only too well that the Serbs were once a majority in Kosovo. Those are historical facts. She knows how many religious and cultural sites remain in Kosovo. I would ask her not to say that 200,000 Serbs are forbidden to return to Kosovo when she has no right to say so. Kosovo is not hers, and Kosovo is not mine. Kosovo is not Albanian, nor does it belong to Serbia. Kosovo is in the hands of the people who live there — Serbs and Albanians — and depends on their votes. One cannot conclude an agreement and then say "we need to consult our constitutional court"; if so, then we can consult our own court in Belgrade. A criminal charge was brought against me for that.

When Ms. Çitaku speaks about national minorities in Serbia, she cannot say that there are Albanian or Kosovar national minorities in Serbia. She cannot have the Albanian national minority on her behalf as well as on behalf of Albanians living in Albania.

Ms. Çitaku spoke of the right to self-determination, which she has already used: there is a State where Albanians live, and it is called Albania. She does not have that right, because she was a national minority in the former Yugoslavia and in Serbia and, without any agreement from the country from which she seceded, they unilaterally declared independence. I must warn that happened to us could tomorrow happen to any country. Please do not say that principles do not count. That is why we do not recognize the unilateral declaration of independence. If Kosovo were sovereign and independent, she would not be sitting here under this format as "Ms. Vlora Çitaku", but would be "the representative of the Republic of Kosovo". If Kosovo were independent, it would sign an association and stabilization agreement with the European Union as a country, not as a territory.

I did not want to raise this issue, instead I wanted to talk about what we have been able to achieve thus far and to look towards the future. However, Ms. Çitaku has chosen not to do that and uses each and every opportunity and meeting of the Security Council to call on others to recognize the independence of Kosovo. I should therefore like to take this opportunity to thank all the countries that have not recognize the independence of Kosovo — not because they did so as a favour to Serbia, but because that is in line with international law. I cannot wait to see the day when another country faces this problem. I have said that it is easy to speak of the sovereignty and territorial integrity of other States. But this is not something on which this organ should be founded and based upon.

I would therefore ask the representatives of the European Union, the United Kingdom and the United States, when speaking to us in these meetings, to take into consideration one fact: Serbia cannot be a punching bag for the representatives of Kosovo's institutions. If they think that we are afraid of these meetings, they

should know that our strength is not our weakness. Participating in this dialogue is something we are determined to continue to do.

I have had to intervene to react to the statements of Ms. Çitaku, for they were not conducive to reconciliation; in fact, they were a step backwards.

The President (*spoke in Spanish*): Ms. Çitaku has asked for the floor to make a further statement. I now give her the floor.

Ms. Çitaku: I apologize for taking up more of the Council's time. We have said several times today that the world has much more pressing issues to discuss. Nevertheless, I must reiterate several things.

The time when Kosovo sought permission and cleared its speeches with Belgrade is over. We are not afraid to tell our story. We are not afraid to deal with our own past. There was a terrible war, and in war terrible things happen. But one should never try to put a question mark between State-sponsored crime and individual actions. There is a difference. Again, we are ready to deal with our past. We hope that Serbia will soon be able to deal with its past.

When it comes to international law, again, I must reiterate that the International Court of Justice, as the highest and most professional body, issued an opinion about Kosovo's declaration of independence and its legality. The opinion was clear and unambiguous: Kosovo was within its rights when it declared its independence and we are sui generis and unlike any other ongoing or future dispute.

I was in fact happy to hear my colleague from Belgrade refer to our agreement as an international agreement. But we were not the only ones to request an opinion from the constitutional court. Serbia did the same some months ago with the agreement on diplomas. I want to reassure the Council that we will implement every agreement that we reached in Brussels — every single one — but not at the cost of the functionality of our State. That is what the ruling of the constitutional court suggested.

I also want to say that we are for reconciliation. But reconciliation cannot be built on denial. Reconciliation can be built only if we can stand tall and look at the past without fearing it — although for some that might be quite shameful.

The President (*spoke in Spanish*): Before we adjourn, given that this is the last scheduled meeting of the Council for this month, I would like to express the sincere appreciation of the delegation of the Bolivarian Republic of Venezuela to the members of the Security Council, especially my colleagues the permanent representatives and their respective colleagues, as well as to the Council's secretariat, for all the support afforded to us. This has undoubtedly been a month of great activity, during which we reached consensus on several important issues before us. We would not have been able to face everything we managed to address alone or without the hard work, support and positive contributions of every delegation and the staff of the Secretariat, including conference servicing personnel. Nor would the success achieved have been possible without the professionalism of our team, for which I thank them. Any failure is strictly my own.

As we conclude our presidency, I know I speak on behalf of the entire Council in wishing good luck to the delegation of Angola in the month of March. They have our full support.

The meeting rose at 6.10 p.m.